

NEBRASKA SPECIAL EDUCATION ADVISORY COUNCIL

Cornhusker Marriott Hotel

September 17, 2015

Meeting Minutes

SEAC MEMBERS PRESENT: Adams, Alexander, Bright, Bruha, Ellis, Gentrup, Greene, Hall, Healey, Hitesman, Houlton, Jacobson, Jessop, Jones-Hazledine, Jorgensen, Kelly, Kiernan, K. Larsen, S. Larsen, Sharif, Stoley, Winkler, Wohlers

MEMBERS ABSENT: Demuth, Kluver

NDE STAFF PRESENT: Sherman, Wierda, Milliken, Prochazka, Bace, Biaggio, Coontz, Dymacek, Heaston, Heater, Hoffman, Senseney, Weatherly

SEAC FACILITATOR: Bird

VISITORS: Elizabeth Paesl, Nebraska Youth Leadership Council; Rhonda Fleischer, Contracted liaison for Deaf/Hard of Hearing Regional Programs

The meeting of the Special Education Advisory Council (SEAC) commenced at 8:45 a.m. Public notification of this meeting was made on the NE Department of Education web site and in the Omaha World Herald.

WELCOME – Meeting was called to order by Cindy Ellis, Council Chair, followed by groups introductions.

Gary Sherman welcomed the group on behalf of NDE, with particular welcome to the newest members of SEAC. Cindy Ellis led the group in a “Getting to Know You” activity.

COUNCIL BUSINESS

Open Meetings Law

SEAC meetings are open to the public and Cindy Ellis announced that the Open Meetings Law was posted in the back of the room.

Approval of Meeting Minutes

A motion to approve the minutes of the April 16, 2015 meeting was made by Adams and seconded by Bright. *A reminder was given that those who were absent at the previous meeting should abstain from this vote.*

VOTE:

Aye - Adams, Alexander, Bright, Ellis, Gentrup, Greene, Hall, Healey, Hitesman, Houlton, Jessop, Jones-Hazledine, Jorgensen, Kiernan, S. Larsen, Sharif, Winkler
Nay – none

Abstain – Bruha, Jacobson, Kelly, K. Larsen, Wohlers

Absent – Demuth, Kluver, Stoley

The motion carried.

Approval of Agenda

A motion was made by Jorgensen and seconded by Hall to approve the agenda.

VOTE:

Aye - Adams, Alexander, Bright, Bruha, Ellis, Gentrup, Greene, Hall, Healey, Hitesman, Houlton, Jacobson, Jessop, Jones-Hazledine, Jorgensen, Kelly, Kiernan, K. Larsen, S. Larsen, Sharif, Winkler, Wohlers

Nay - none

Abstain - none

Absent - Demuth, Kluver, Stoley

The motion carried.

Notice of upcoming Conferences/Meetings

Cindy Ellis announced that NDE will pay registration fees for Council members to attend relevant meetings/conferences. If interested, contact Ann Bird.

- November 5/6, 2015 - Tri-State Law Conference.
- October 29, 2015 - Para-Educator Meeting/Training in Kearney. There will be a variety of topics and John Bright will be giving a presentation related to homelessness.

2015-16 Proposed SEAC Meeting Dates

Following discussion and confirmation with the Cornhusker Hotel, a motion was made by Adams and seconded by Green to approve SEAC meeting dates for the remainder of the year: November 19, 2015, January 28 and April 21, 2016.

VOTE:

Aye - Adams, Alexander, Bright, Ellis, Gentrup, Greene, Hall, Healey, Houlton, Jacobson, Jessop, Jones-Hazledine, Jorgensen, Kelly, Kiernan, K. Larsen, S. Larsen, Sharif, Stoley, Winkler, Wohlers

Nay - none

Abstain - none

Absent - Bruha, Demuth, Hitesman, Kluver

The motion carried.

New Executive Committee Member

Three incoming members from the Class of 2019 shared thoughts about coming onto the SEAC Executive Committee. A paper ballot was taken later in the afternoon and Kristen Larsen was elected. She will serve on the Executive Committee for her full four years and serve as Chair of the Council in her final year.

SEAC Priorities 2015-2018

Ann Bird discussed the Priorities that were approved by SEAC on April 16, 2015. These priorities serve as the basis for future SEAC meeting agendas.

NEBRASKA SPECIAL EDUCATION ADVISORY COUNCIL (SEAC)
SEAC PRIORITIES*
2015-16 through 2017-18

1. To participate in the development, review and revision of the Targeted Improvement Plan (TIP) Process implemented at the local level to improve results for students with disabilities in the following areas:
 - Impact Area 1: Improving Academic Achievement, Functional Outcomes and Child Outcomes in Natural and Inclusive Environments
 - Impact Area 2: Improving Communication and Relationships Among Families, Schools, Communities and Agencies
 - Impact Area 3: Improving Transitions from the Early Development Network to Preschool and School to Adult Living
2. To review the effectiveness of the current State Performance Plan (SPP) through the analysis of data in the Annual Performance Report (APR) to determine that Nebraska is demonstrating continuous improvement in the compliance and results indicators.
3. To review and advise the Nebraska Department of Education regarding the development and implementation of the State Systemic Improvement Plan.
4. To monitor state and federal legislation, including the Reauthorization of the Elementary and Secondary Education Act (ESEA) and the Individuals with Disabilities Education Act (IDEA) to assure the linkage between ESEA and IDEA.

** Approved by SEAC April 16, 2015*

SEAC Committee Report:

Elizabeth Paesl, Nebraska Youth Leadership Council (NYLC) provides an annual update to SEAC. Elizabeth Paesl discussed the history of NYLC and presented a powerpoint, including NYLC's new Mission Statement and description of membership requirements, the group's activities of focus and some projects in the works. The NYLC website is nylc.nebraska.gov. The power point will be emailed out to the Council. Regional meeting dates are posted on Facebook. NYLC members are available to provide presentations as requested.

SEAC and NDE Special Education Office

Gary Sherman shared an overview and update about NDE Special Education Office staff changes. Alice Senseney has joined the Special Education office and will be involved with some Federal grants and other assigned activities. Jan Thelen retired the end of August and Teresa Berube has been hired to fill this position. Beth Wierda is retiring the end of November, and Steve Milliken, who has been on contract with the NDE Office of Special Education, is stepping into this position.

The Management team at NDE Special Education Office is comprised of Gary Sherman, Beth Wierda (soon to be Steve Milliken) and Greg Prochazka. Due to the

recent change in emphasis from “Monitoring” towards “Improvement” there are four Focus Teams within the Office, each with a team leader: Data/Adria Bace; Fiscal/Pete Biaggio, Monitoring/Jeanne Heaston; Program Improvement/Kelly Wojcik. SEAC will hear from these teams throughout the year. Staff are also assigned by regions of the state, which are defined by ESU boundaries.

NDE Rule 51 Revision - Educational Interpreter Standards

Teresa Coonts, NDE, and Rhonda Fleischer, Contractor for Deaf/Hard of Hearing Regional Programs, shared information about current Rule 51 changes for Educational Interpreter Standards and highlights from a handout that was shared with the State Board in August. Wide stakeholder involvement has been sought and consensus reached on the various issues. A draft of the proposed Rule 51 language was shared with the Council. A rule hearing date will be established. A technical assistance document will be developed to support Educational Interpreters and assist districts that use them.

A motion was made by Adams and seconded by Kelly to support the proposed Rule 51 changes regarding Educational Interpreters Standards at the public hearing.

VOTE:

Aye - Adams, Alexander, Bright, Bruha, Ellis, Gentrup, Greene, Hall, Healey, Hitesman, Houlton, Jacobson, Jessop, Jones-Hazledine, Jorgensen, Kelly, Kiernan, K. Larsen, S. Larsen, Sharif, Winkler, Wohlers

Nay – none

Abstain – none

Absent – Demuth, Kluver, Stoley

The motion carried.

Next steps include the Executive Committee preparing recommended language to present at the hearing which will be emailed out to the Council ahead of time.

The Foreign Language of SEAC

A list of frequently used acronyms had been emailed to the Council and Ann reminded the group to be sure to ask for clarification when appropriate. Ann led the Council members in a brief exercise to “test” their knowledge of some of these acronyms.

Working Lunch

Ann Bird shared that the monthly SPED Directors’ Conference Calls, which are held on the last working day of the month and are coordinated by Alice Senseney, include members of NDE staff presenting on and sharing information about pertinent issues. SEAC members are welcome to join these toll-free conference calls on a listen-only basis. Ann provides the call-in information to SEAC members.

SAP (State Advisory Panel) Webinars may also be viewed by SEAC members. Questions may be submitted as topics are pertinent to nationwide SEAC groups.

Public Comments

Cindy Ellis asked if there were any public comments; there were none.

NDE Special Education Office Leadership Team Reports

Monitoring/ILCD

Jeanne Heaston presented information regarding recent changes that will bring Nebraska in line with RDA (Results Driven Accountability) efforts that link monitoring and student improvement/student progress. IDEA has been in place for 40 years (originally the EHA – Education of the Handicapped Act). Jeanne recapped the Monitoring process as it relates to Indicator 13 which includes six regulations that are reviewed with each district, as well as other items such as: desk reviews, written notices, follow up on any corrective action plans, complaints, district determinations, accommodations, and ChildFind. NDE also conducts an annual monitoring survey and will continue the process this year with about 61 districts.

Monitoring Process Documentation now utilizes technology that includes a monitoring folder with template letters that allow for personalization of messaging. The monitoring process is seeking greater communication with the districts with a focus on improvement.

Comment was made about the need for foreign language interpreters being trained in the “Special Education terminology.”

Data

Determinations – State, District and Planning Region Team

Adria Bace shared Nebraska’s latest determinations information including a powerpoint overview of the “Grads 360” website.

Part B – School Age determination from OSEP for 2015 - combined compliance and outcomes indicators resulting in Nebraska receiving a score of 86.81% - Meets Requirements (highest level).

Part C – Birth to age 3 determination from OSEP for 2015 – combined compliance and outcomes indicators resulting in Nebraska receiving a score of 71.43% - Needs Assistance. (first time not receiving highest level)

Information regarding the Nebraska determination, data from other states and many other useful resources can be located at the OSEP website:
<https://osep.grads360.org/>

For the local school district (Part B) determinations:

- 248 districts – Meets Requirements (highest level)
- 1 district - Needs Assistance

Additional data on Nebraska school districts can be found at:
http://reportcard.education.ne.gov/Default_State.aspx

For the Planning Region Teams (Part C) determinations:

- 18 PRTs – Meet Requirements (highest level)
- 10 PRTs – Needs Assistance

Additional data regarding the Planning Regions Teams can be found at:
<http://edn.ne.gov/spp/regional-data.html>

Program Improvement

Rose Dymacek and Sharon Heater, filling in for Kelly Wojcik, shared a powerpoint regarding Results Driven Accountability (RDA). RDA is an OSEP initiative that includes a system of improving results. Monitoring is still being done, however, this new component focuses on how students with disabilities are performing.

Review of Phase I submission of the State Systemic Improvement Plan (SSIP)

SIMR (State Identified Measurable Result) and Strategies.

Nebraska is working on this in phases, and Rose Dymacek reviewed some of the components as related to both Parts B and C. Feedback from OSEP has been received.

Review of Phase II requirements of SSIP

Rose also discussed the components of this phase, which are all due to OSEP April 16, 2016. National Center for Systemic Improvement is assisting Nebraska with developing and aligning the infrastructure. Nebraska must make sure its state infrastructure fits within what OSEP is requiring.

Involvement with the NCSI Learning Collaborative

Sharon Heater discussed the Learning Collaborative that NE will participate in regarding SSIP.

Changes for District/PRT Determinations

Sharon indicated that these changes will be discussed at a future SEAC meeting.

ELA (English Language Arts) Extended Standards

Sharon also explained working with DRC and then Stakeholders to review and offer input. Drafted standards will be field tested in the Spring of 2016. A copy of the document is available on the Assessment Website under ELA Transition.

Finance

Pete Biaggio shared a powerpoint handout regarding the IDEA Revised Maintenance of Effort (MOE) Requirement. The purpose of MOE is to assure that funds expended from state/local sources equals or exceeds the amount spent in previous years. If MOE is not met, districts face consequences. NDE is developing a new process to include a built-in "check and balance" which is intended to help districts monitor their use of funds.

There are four allowed options to meet both the MOE "Eligibility" and "Compliance" Standard. Additional information will be shared at future SEAC meetings.

When asked a question about how money is determined for use with children of varying disabilities, Pete stated that the federal portion is distributed based upon district enrollment and poverty.

Gary interjected that Congress is going to try to deal with the budget again, which may lead to discussion about "sequestration" for non-defense programs, of which Education is one. Loss of funds for education and IDEA may be a possibility and NDE will watch and see what, if anything, unfolds.

Gary also shared information from last week about the Dept. of Health and Human Services (DHHS) implementation of a court order regarding behavioral modification services (autism & developmental disabilities) to children up to age 20 who are Medicaid eligible. DHHS will be sending out a memo to families that are Medicaid eligible informing them about this new program. A memo from the NDE Sped Office will go out to school districts with similar information. To work as it is intended, those dollars funding services in the area of Autism based on a medical model, would supplement (not replace) what's being provided in the school districts for educational purposes. Need to make sure things are coordinated and will discuss more on the end of month call, and work with DHHS to see if there are ways to provide training to all parties involved: school districts, ASD Network, families, etc. Can be positive for families and districts if approached appropriately. This activity is not currently related to MIPS expansion resulting from LB276. Regarding expansion of MIPS beyond OT, ST and PT, progress has been slow. Nebraska is not there yet, but NDE is still working with DHHS.

ESEA Reauthorization 2015

Beth Wierda provided an update indicating that in July both the House and Senate passed their versions of the Elementary and Secondary Education Act (ESEA). Those bills are different, so this must go to Conference Committee to be sorted out. Issues focus around how much control federal government should have, state flexibility, and accountability. It appears there is much work to be accomplished and once this is done, IDEA is waiting to be reauthorized. Ann reminded members that SEAC priority #4 is linked very closely to what is happening.

Beth suggested having Nancy Reder, Assistant Director of the National Association for State Directors of Special Education (NASDSE) do a teleconference update from Washington D.C.

Motion made by Jones-Hazeldine and seconded by Jorgenson to adjourn at 2:40p.m.

The next meeting of SEAC will be November 19th, 2015.